

Attorney for Defendant Linens 'N Things, Inc.

KRIS HENKE, an individual,  
Plaintiff,  
v.  
LINENS 'N THINGS, INC., an unknown  
business entity; DOES 1 through 25, Inclusive  
Defendants.

## APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE

I, Ronald M. Gaswirth, hereby apply to the Court under Local Rule 83-2.8.2 for permission to appear and participate in the above entitled action on behalf of Defendant Linens 'N Things, Inc. by whom I have been retained.

- a. Gardere Wynne Sewell, LLP  
1601 Elm Street, Suite 3000  
Dallas, TX 75201-4761
- b. E-mail: [rgaswirth@gardere.com](mailto:rgaswirth@gardere.com)
- c. Telephone: (214) 999-4601
- d. Fax: (214) 999-3601

2. I am a member in good standing and eligible to practice in the following courts on the dates listed below:

Texas Supreme Court – 1968  
 United States Supreme Court – 1974  
 Third Circuit Court of Appeals – 1979  
 Fifth Circuit Court of Appeals – 1982  
 Ninth Circuit Court of Appeals – 1996  
 Tenth Circuit Court of Appeals – 1995  
 Eleventh Circuit Court of Appeals – 2000  
 Colorado District Court – 1997  
 Georgia Northern District Court – 1971  
 Northern District of Texas – 1979  
 Southern District of Texas – 1986  
 Western District of Texas – 1988  
 Eastern District of Texas – 2000  
 Northern District of California – 1985

3. I am not a resident of, nor am I regularly employed, engaged in business, professional or other activities in the State of California. I am not currently suspended or disbarred in any court.

4. I have not concurrently or within the last 3 years of this application made *Pro Hac Vice* applications to this Court.

5. I designate Scott E. Gizer as local counsel, whose business information is as follows:

- a. Christensen, Glaser, Fink, Jacobs, Weil & Shapiro, LLP  
 10250 Constellation Blvd., 19<sup>th</sup> Floor  
 Los Angeles, California 90067
- b. E-mail: sgizer@chrisglase.com
- c. Telephone: (310) 556-7852

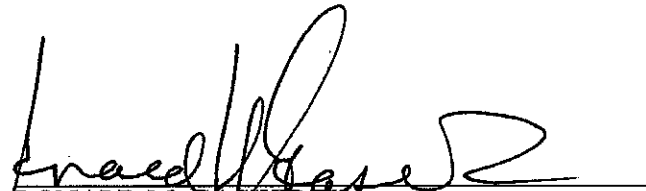
LAW OFFICES  
CHRISTENSEN, GLASER, FINK, JACOBS, WEIL & SHAPIRO, LLP  
10250 Constellation Boulevard  
Nineteenth Floor  
Los Angeles, California 90067  
(310) 555-3000

1 d. Fax: (310) 556-2920

2 6. Scott E. Gizer is in good standing with the Bar of this Court and maintains an office in the  
3 Central District of California for the practice of law, as the attorney with whom the Court  
4 and opposing counsel may readily communicate regarding the conduct of this case, and upon  
5 whom papers may be served.

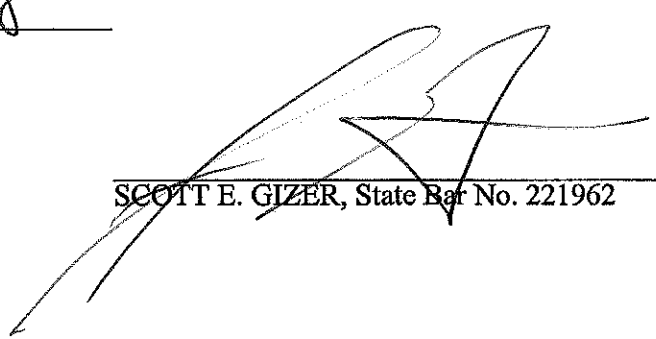
6  
7 I declare under penalty of perjury that the foregoing is true and correct and that I am familiar  
8 with the Local Rules, the Local Criminal Rules, the Fed. R. Civ. P., the Fed. R. Crim. P., and the  
9 Fed. R. Evidence.

10  
11 Dated: 3-25-08

12  
13  
14  
15   
16 RONALD M. GAFWIRTH

17 I hereby consent to the foregoing designation as local counsel.

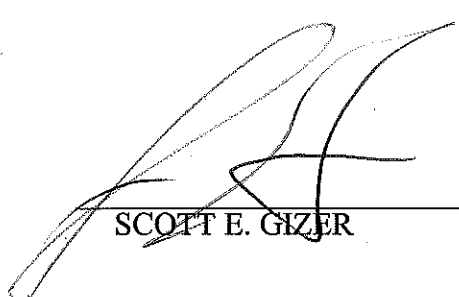
18  
19 Dated: Apr. 17, 2008

20  
21   
22 SCOTT E. GIZER, State Bar No. 221962  
23  
24  
25  
26  
27  
28

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on April 7, 2008, the foregoing document(s) was (were) filed electronically. I understand that notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system

**APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE**



SCOTT E. GIZER

LAW OFFICES  
CHRISTENSEN, GLASER, FINK, JACOBS, WEIL & SHAPIRO, LLP  
10250 CONSTELLATION BOULEVARD  
SUITE 2000  
LOS ANGELES, CALIFORNIA 90067  
(310) 553-3000

CERTIFICATE OF SERVICE

**PROOF OF SERVICE**

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California; I am over the age of 18 and not a party to the within action; my business address is 10250 Constellation Boulevard, Nineteenth Floor, Los Angeles, California 90067.

On April 7, 2008 at the direction of a member of the Bar of this Court, I served the within:

**APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE**

on the interested parties to this action by delivering a copy thereof in a sealed envelope addressed to each of said interested parties at the following address(es):

H. Anthony Harris, Esq.  
Law Offices of Brictson & Cohn  
2214 Fifth Avenue  
San Diego, CA 92101

☒ (BY MAIL) I am readily familiar with the business practice for collection and processing of correspondence for mailing with the United States Postal Service. This correspondence shall be deposited with the United States Postal Service this same day in the ordinary course of business at our Firm's office address in Los Angeles, California. Service made pursuant to this paragraph, upon motion of a party served, shall be presumed invalid if the postal cancellation date of postage meter date on the envelope is more than one day after the date of deposit for mailing contained in this affidavit.

☐ (BY OVERNIGHT DELIVERY SERVICE) I served the foregoing document by Federal Express, an express service carrier which provides overnight delivery, as follows. I placed true copies of the foregoing document in sealed envelopes or packages designated by the express service carrier, addressed to each interested party as set forth above, with fees for overnight delivery paid or provided for.

☐ (BY PERSONAL SERVICE) I caused such envelope to be delivered by hand to the offices of the above named addressee(s).

☐ (BY FACSIMILE) I caused such documents to be delivered via facsimile to the offices of the addressee(s) at the following facsimile number:

Executed on April 7, 2008, at Los Angeles, California.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

  
ADELE JOHNSON-DAVIS

**PROOF OF SERVICE**

LAW OFFICES  
CHRISTENSEN, GLASER, FINK, JACOBS, WEIL & SHAPIRO, LLP  
10250 CONSTELLATION BOULEVARD  
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